XIII

RECENT MARRIAGE LEGISLATION FROM AL-MUKALLĀ WITH NOTES ON MARRIAGE CUSTOMS

IN Ḥaḍramawt, it seems, there have been constantly reiterated attempts at creating effective sumptuary laws limiting expenditure at marriages and other social activities, especially in respect of the extravagant demands of women for dress and other forms of ostentation where their rivalry leads their male relatives into expenditure beyond their means. The sentiments of the Ḥaḍramī man are admirably expressed in a *qaṣīdah* by the shaikh Aḥmad Barakāt [1] of which one line may be quoted here :

Hātū wa-hātū mā lahin ghaira 'l-lifāt
hātū la-nā hātū la-nā

' Bring this, bring that—they're grasping all the time,
bring it to us, bring it to us ! '

It is to the insatiable demands of this rivalry that the Ḥaḍramī tends to attribute, at least in some degree, the tendency for the cost of marriages to rise, and as, of course, marriage is enjoined by Islam, it is morally right to make it reasonably inexpensive. I heard of an agreement concluded in 1313/1895–6 in Tarīm in which the various social orders of the community—the *saiyids*, *mashāyikh*, the people of the quarters (*ahl al-ḥuwaf*), agreed, each group within itself, as to what it should be permissible to spend on the customary usages (*'ādāt*), especially those relating to marriage, with a view to achieving economy (*iqtiṣād*), but though I tried to obtain a copy of this document I never succeeded, and I put this down to the fact that wherever anything touches on their womenfolk's affairs the Tarīmīs are unwilling to expose it to a stranger. A similar agreement was concluded in Shibām within the last ten years, but I was politely fobbed off when I inquired for a text of it. However, in the newspaper of al-Mukallā, *al-Ṭalī'ah* 1, 6, 10 Muḥarram 1379/16 July 1959, I was delighted to see the publication of *Manshūr 'Āmm*, or Public Ordinance no. 10 (1959) containing provisions, probably similar to the sumptuary agreements of the Wādī Ḥaḍramawt which I am unlikely ever to be allowed to inspect. It was suggested to me that the Ordinance was issued at the instance of the elders of the town (*'uqqāl al-bilād*), and the religious committee (*lajnat al-shu'ūn al-dīnīyah*) of al-Mukallā, both regarded as conservative, and that the Qu'aiṭī government deferred to their pressure, and accepted their proposals. It is not thought, however, that its provisions are observed in practice at all, except that the *mushtariḥah* or female minstrel nowadays receives a fixed fee only,

[1] R. B. Serjeant, *Prose and poetry from Ḥaḍramawt*, London, 1951, Ar. text, p. 97.

without pickings and perquisites. It will at once be realized that the Ordinance contains provisions which cannot be enforced if the community is not prepared to co-operate with Government. In Ḥaḍramawt it has apparently swiftly been the lot of previous sumptuary agreements to fall into the dead letter category. The Ordinance also contains another type of provision, clauses aimed at abolishing customs which the *'ulamā'* would censure as *bid'ah*.

Although the possibility of a recurring economic factor linked to the appearance of these sumptuary agreements cannot be ruled out, possibly periods of rising prices and prosperity, I am inclined to look for social reasons giving rise to the decisions to limit expenditure and curb extravagance. Though its economic position must be quite different from that of al-Mukallā, the 'Awdhalī Sulṭanate, during the summer of 1961, has promulgated a law limiting and defining the traditional costs, fees, and perquisites of marriage, which Sulṭān Ṣāliḥ has recently communicated to me.[1] More recently similar legislation has appeared in Dathīnah.

In the Aden paper of 'Abd al-Raḥmān Girgirah, *al-Yaqẓah*,[2] a correspondence has been conducted on the difficulties confronting the young Adenese desirous of marrying. This has long been troubling the minds of the Adenese for I recall other newspaper articles on the same subject nearly ten years ago. In the case of Aden there has been a tremendous boom and rise in prices because of the heavy military expenditure of latter years.

One of *al-Yaqẓah's* correspondents sees the obstacles in the way of marriage as the excessive demands of the girl's family in dowries and the bride-price (*mughālāt ahl al-fatāh fi-'l-muhūr wa-'l-jihāz*), a phrase which might have been taken straight from al-Baiḥānī's *Ustādh al-mar'ah*,[3] and the way they regard marriage as a commercial transaction (*'amalīyat bai' wa-shirā'*). One young man goes so far as to declare, 'My social life is not guaranteed (*ḥayāti al-ijtimā'īyah ghair maḍmūnah*), so let me go to London where I can marry for nothing', i.e. without the cost of dowry and bride-price![4] Others complain of the scarcity of housing, lack of furniture, the rise in the cost of living, the rise in dowries (*azmat al-masākin, azmat al-athāth, irtifā' al-ma'īshah, irtifā' al-muhūr*). A proposal is made that a committee be formed to study the problem and propose appropriate legislation. A contrary view holds that these are not the basic causes of the problem, but what he calls 'moral disintegration (*al-inḥilāl al-khulqī*)'.

While too much emphasis should not be laid on this so-called 'moral disintegration', and what a conservative Muslim regards as falling within this

[1] *Fatāt al-Jazīrah* (Aden), XXII, no. 1697, 5 August 1961; *Ṣawt al-Janūb* (Aden), no. 21, 5 November 1961.

[2] *Al-Yaqẓah* (Aden), VI, 27 September 1961, p. 215.

[3] Muḥ. b. Sālim b. Ḥusain al-Kudādī al-Baiḥānī, *Ustādh al-mar'ah*, Aden, 1950, p. 55, *al-mughālāh fi-'l-muhūr wa-'l-j h zah* (error for *ajhizah* ?), *wa-hiya 'l-daf'*. I have discussed this work at greater length in a paper, 'Sex, birth and circumcision', *Hermann v. Wissmann-Festschrift*, ed. A. Leidlmair, Tübingen, 1962, 193–208.

[4] The writer is clearly influenced by Western theories on social matters.

category is not likely to be exactly what would be considered moral disintegration in Europe, it must be pointed out that the coming of the oil refinery to Aden in 1952 has effected great social changes in the Asiatic communities, especially the Arabs, and not only in Aden but in the Western Aden Protectorate as I have already indicated.[1] 'Abdullāh Muḥammad al-Maqṭarī with whom I discussed these statements, has put the matter into words, the following being the gist of them. The oil company provided its employees with furnished quarters at a time when home conditions were rather primitive in Aden, and the young women began to demand that their husbands, not employees of the company, should furnish them with the same material standards of comfort as their sisters whose husbands worked at Little Aden. Since, say, 1957 young women have been demanding that their husbands live with them in an establishment separate from that of the husband's parents. This results partly from female secondary education, partly from their closer acquaintance, through numerous media, with the social system of the West. Al-Maqṭarī was of the opinion that the bride-price (*daf'*) was probably not a great obstacle to marriage since it could be adjusted, though families like to boast that their daughter was married for a *daf'* of such and such a (high) figure. It is the practice as elsewhere that the dowry is named, but not paid, except in case of divorce, but customarily it bears a value proportionate to the *daf'*, e.g. if the latter is 6,000 shillings, the *mahr* would be 600 shillings.

In the Aden paper *Ṣawt al-Janūb* [2] were printed recently the words of a new song entitled *Operette al-daf'*, composed and set to music by two well-known Aden artistes. This satirical song is expressive of the sentiments of the young Adenese of the class corresponding in their way, to the 'effendi' of other Arab countries, and is stated to have been received with acclamation at its first performance.[3]

The theme is quite new, and though in diction it does not break away entirely from traditional Aden or South Arabian verse, it is a notable departure from it, on the lines of the free verse fashionable elsewhere. The language is a mixture of Adenese, with a diction partially Contemporary Arabic, partially Egyptian colloquial intermingled with its basic Adenese—as affected by some Adenese in such a context. For example *mā shāfat-sh* is not Aden usage, and I have never heard an Adenese say *maṣraf* when he means 'bank'.

الشاب :

الجميلة الفاتنة بنت الاكابر	راح أبى لا عندَ أبوها،
اللى عين الشمس	لما شافت أمى أهلهْ،
ما شافتْش وَجْهِه يوم سافِر	راغبين با يزوّجوها.

[1] In a paper, 'Social change in south-western Arabia', at the conference held by the Congress for Cultural Freedom in Khartoum in early 1961.

[2] No. 21, 5 November 1961.

[3] ibid., no. 22, 11 November 1961.

والد الشاب :
نحنا والله طالبين القُرْب منك
لابننا عبده،
ونشتى بس اذنك.
عبده عمره تسعطعشر،
يشتغل كاتب
وعاده في خمسطعشر،
ذا معاشه ستميه
غير «الأوفرتم»،
وانت شوف بس رغبتك
يا حاج قاسم.

والد الفتاة :
قوللى، طيب،
ايش دفعك؟

والد العريس :
فى القياس با ادفع لك الفَيْن —
وانت شَرْعك.

والد العروس :
ما يخارج شوف بصيره،
والوليد عاده مشاهرته حقيره.
شى معه بيت أو رصيد فى البنك
وسياره وتيره؟

شى معه فوق المعاش رتبه كبيره؟

والد العريس :
نحنا والله يا أخي
فى ستْرة الحال،
ذا غنا النفس عندنا
أغلى من المال،
أنا دلّال فى الجلود
وابنى موظّف.

والد العروس :
بس قُلْلِى
ذا غنى النفس
يصطرف فى أى مصرف؟

نفس الشاب :
قلت لابي ونحنا نروح،
بس لَيْش ليش بالعجل؟
الزواج مُو بس هارب،
العجل فيه ضَبَل.
قلْتها وانا أعَزّى
قلبى فى جُرْحه الكبير
من مفاهيم ناس مساكين،
اسكتوا صوت الضمير.

The youth. The lovely attractive girl, daughter of the notables, whose face [1] the eye of the sun never saw unveiled—my father went to her father after my mother had seen her family, wishing to marry her (i.e. to me).

The youth's father. Wallah, we should like to enter into relationship with you (by marriage) for our son 'Abduh [2] and want only your consent. 'Abduh is 19, working as a clerk when he was only 15; his salary is 600 (shillings),

[1] Note the feminine termination *wagh-ih* as later *ahl-ih*.

[2] So common is the name 'Abduh in Aden that the Adenese are dubbed in fun 'Ayāl 'Abduh, which might be rendered as ' the 'Abduh tribe '.

apart from ' overtime '.[1] So then you think what you want (as bride-price), Ḥājj Qāsim.

The girl's father. Good, tell me then, what is your bride-price ?

The groom's father. According to the usual rate I'll pay you 2,000 (shillings), but it's up to you.[2]

The bride's father. That won't do.[3] You think it over. The boy's salary is still nothing. Has he a house, or a bank account, or a nice car ? Apart from the salary, has he a good position ?

The groom's father. Waḷlah, my friend, we can just preserve appearances.[4] Enough for a person, in our view, is worthier than wealth. I am an auctioneer in hides, and my son is a salaried employee.

The bride's father. All right, but tell me, is that ' enough for a person ' cashable [5] at any bank ?

The youth himself. I said to my father as we left, ' Enough, why, why the hurry ? [6] Marriage can come any time. Haste brings trouble [7] with it '.

I said this, comforting my heart for the great wound in it at the ways of foolish folk.[8] Quieten the voice of conscience.

The Aden schoolboy of 15 or 16 used to marry at this age, but it looks as if material considerations which did not exist before the desire for a higher standard of living may be raising the age of marriage among the educated class.[9] For some time to come the transformation of Aden Arab Muslim society, in respect of relations between the sexes, to a more Westernized model as, say, in Egypt, is like to be confined to the educated classes. The process will undoubtedly cause considerable strain, dislocation, and maladjustment, of which the feeling against the *daf'* may be a symptom. The advantages the change brings in its train may not altogether outweigh the disadvantages. As in other Muslim countries, however, Westernization of the society has its strong protagonists and its strong conservative opposition, the latter not necessarily stemming from the *'ulamā'* who can on occasion show an extraordinary degree

[1] The English is transliterated but apparently there is a word which has become Arabic, *habartain*, i.e. ' overtime '.

[2] *Wạ-anta sẖar'-ak* means *zai mā tiṯẖtī* ' whatever you want '. He means that he should say what he wants as bride-price.

[3] cf. E. V. Stace, *English–Arabic vocabulary*, London, 1893, 88, *kẖārag al-dain* ' pay a debt '. Perhaps one should render it as ' it doesn't meet the case '.

[4] The phrase *sitrat al-ḥāl* in this context means that though they may have to pinch and scrape or even go hungry they have enough to keep up a decent appearance to the outside world.

[5] *Iṣṭaraf* ' to be changed, cashable '.

[6] *Mū—mā hū*. There is an Aden saying, *yā sẖaiḳẖ hū muṯẖ hārib*, i.e. ' it won't fly away ', you can have it any time '.

[7] One says, *hū/hī ḍablah* ' he/she is a trouble through his/her perpetual demands, wishes, whims '. *Ḍabal* means something like trouble, bother on account of the responsibilities it brings.

[8] *Mafāhīm* was explained as ' what they hold to be the case ', *mawḍah*, or ' mode '.

[9] The Aden paper *Ṣawt al-Janūb*, I, no. 45, 29 April 1962, the organ of the Aden Protectorate chiefs, in an article, ' al-Zawạ̄j al-mubkir jarīmah ', protests against marrying boys of 15 to 16 to women of 25 to 30. The boys' fathers apparently like this because these women will not ask the fathers for rights for themselves in *māl wa-aṭyān*, presumably cattle and land.

of broadmindedness. As long ago as twenty years back, some Aden writers were attacking the way in which Adenese treated the institution of marriage,[1] and these persons, mainly journalists, still form the advance-guard of the Westernization of local society though they would not call it by this name, preferring such terms as *al-iṣlāḥ al-ijtimā'ī* ' social reform ', and other popular catchwords derived from the West.

The new Qu'aiṭī state marriage decree : text, translation, commentary

For the proper understanding of the Ordinance promulgated in al-Mukallā, it is necessary to outline the sequence of the traditional practices to be observed from the time of the formal betrothal visit up to the entertainments that round off the actual consummation of the marriage. It is not claimed that the programme which follows is complete down to the last detail, and being derived from informants it lacks the quality of direct personal observation, but Doreen Ingrams [2] in presenting an account of a wedding she actually attended, it would appear, provides something of the colour and incident lacking here. I am indebted to Saiyids 'Abdullāh al-Bīḍ and Muḥammad Sa'īd Midaiḥij, and more recently to Mr. J. Dofari of Aden who gave freely of their time to comment on the material constituting this short study.

The sequence of the wedding ceremonies

1. The *madād*

i.e. the betrothal visit—*qahwah fī bait al-'arūsah.*

2. *Lailat al-rubūṭ*

i.e. the night of the binding. Days, or months, or it could even sometimes perhaps be years after the *madād*, the women hold the *lailat al-rubūṭ*. They take a locally made *subā'īyah* [3]—which is men's wear, not women's and cover the face and body of the bride-to-be, saying, *Antī marbūṭah li-fulān* ' You are

[1] Mukhaiyam Abi 'l-Ṭaiyib (Society), *Aqlām al-Mukhaiyam*, Aden, 1942, where Muḥ. 'Alī Luqmān condemns plurality of wives, and 'Abd al-Razzāq al-Fikrī, writing on married life in Aden, accuses the Adenese of not knowing the true meaning of marriage ! He makes the observation that the Aden girl blushes if marriage is mentioned to her and knows nothing about what has passed between her parents and her suitor's family until the last moment, when she has no option but to obey. I wonder how true this is in 1962 ?

The *Aqlām* might be contrasted with a book written some 15 years before it, Saiyid 'Abdullāh b. Muḥ. b. Ḥāmid al-Saqqāf, *al-Tarbiyat al-nisā'īyah*, Sourabaya, 1346, which is rather old-fashioned, but it nevertheless encourages women to learn to read and write. Old-fashioned custom, as in other countries, was to discourage this activity, cf. *BSOAS*, XXIV, 2, 1961, p. 395, col. 2. At the very time this article was going to press, the newspaper *al-Rā'id* (al-Mukallā), II, no. 74, 2 April 1962, reported some opposition in Shibām town to the Qu'aiṭī government proposal to open a girls' school there, on account of the old tradition that the teaching of girls breeds difficulties and calamities.

[2] *A survey of social and economic conditions in the Aden Protectorate*, [Asmara, 1949]. F. M. Hunter, *Account of the British settlement of Aden in Arabia*, London, 1877, 448 seq., is good also. C. von Landberg, *Études . . . Daṭînah*, Leiden, 1905, 28–9, 192–5.

[3] This is a word remounting to medieval times, and it denotes a striped cloth usually used as a *fūṭah*. C. von Landberg, *Ḥaḍramoût*, Leiden, 1901, pp. 233–6, quotes and comments on a verse which alludes to the custom described, but seems to have been unaware of this custom which would explain his verse more satisfactorily. cf. Doreen Ingrams, *Survey*, 101.

becoming (lit. bound) the wife of so-and-so '. This is because she does not know about the marriage which has already been agreed, although among the Bedouin a girl does know she is going to be married even if she does not know when. A *nuqbah* (head-scarf) is sometimes used in place of a *subā'īyah*.

3. *Al-zawāj*, the marriage

(*a*) *Al-ḥinnā'* or *lailat al-ḥinnā'*, lit., ' the night of the henna ', when the bride and groom are dressed up and decorated with henna, the men having their *makhdarah*[1] and the women theirs. In Ghail Bā Wazīr the *ḥinnā'* with all its preparations and including the *lailat al-'aqd*, lasts for eight days; but it varies from place to place, and in al-Mukallā it is only three days or so from the beginning of the wedding till the girl goes to her husband's house.

(*b*) *Lailat al-'aqd*, also called *lailat al-dukhūl*, or *al-dukhūl*, or *al-dukhlah*. The *'aqd* or contract comes a little before *al-dukhūl*. There is a wedding-feast (*wajbah*) at the bride's house, when the young man comes to claim her, and she goes to his house in the very early morning.

(*c*) *Al-ṣubḥah*,[2] i.e. the morning gift to the new wife, the maidenhead gift.

(*d*) The *wajbah* or *mūjibah*, the wedding breakfast, or lunch, a feast given by the bridegroom's family to return the hospitality of the bride's family.

4. *Naql thamān* or *al-nuqlah*

After eight days the bride visits her former home.

Language

It will be perceived that the Ordinance is not very far removed from the educated colloquial, and that many dialectal words are employed. Typical is the construction of *ammā* without the following *fa-*, often to be found in the writings of Ḥaḍramī *'ulamā'*.

منشور عام رقم (١٠) لعام ١٩٥٩ م.

بسم الله وبحمده.

أما بعد نظراً لما هو واقع من الضرر دينياً واقتصادياً وخلقياً بسبب التنافس في مؤن وشئون الأعراس وتقاليدها من لباس وجهاز وغيرهما من العوائد التقليدية الخارج كل ذلك عن حدود الاعتدال إلى حد الإسراف قرر مولانا صاحب العظمة السلطان في المجلس ما يلي وذلك كقرار مجلس الدولة رقم (١) تاريخ ١٠ شوّال ١٣٧٨ هـ. الموافق ١٨ ابريل ١٩٥٩ م.

[1] The *makhdarah* in Aden means both the ceremony and the wooden erection (put up nowadays there by contractors) in which it is held. See p. 489, n. 1, *infra* for further usages of this word.

[2] cf. Landberg, *Gloss. daṭ.*, 2113 ; al-Baiḥānī, op. cit., 216, for gifts of the bridegroom before marriage and on the *yawm al-ṣubḥīyah* ; W. Leslau, *Lexique soqoṭri*, Paris, 1938, 280, ' *sábḥa*, trousseau, vêtements, voile, tablier que le mari apporte à la femme après la prière du soire '.

(١) المداد

حفلة المداد ممنوعة للرجال مطلقاً. أما حفلة النساء فتبقى كما هى العادة لما فيها من مساعدة.

(٢) الجهاز

البكر لا يزيد جهازها على ستمائة شلن مقطوعة الصُبْحَه.

الثيّب لا يزيد جهازها على ثلثمائة شلن مقطوعة الصبحه.

ولا بأس أن يقدم الزوج هدية لزوجته بحيث لا تتجاوز قيمتها خمسين شلناً ولا يمكن أن تذهب الزوجة إلى بيت الزوج بأكثر ممّا يأتي — قعادة، فرش واحد، ثلاث مَدَاكِي، أربع وَسيد، صندوق، شنطة.

(٣) اللباس

الكُرَت والنقاب المراد استعمالها في الزواجات والمناسبات العامة يجب أن لا يزيد ثمن الكُرْته على ستين شلن والنُقْبه لا تزيد على عشرين شلن، وما عداه من الألبسة التى تزيد أثمانها على ما ذكر فممنوع مطلقاً في الزواجات والمناسبات العامة.

(٤) الوليمة

تكون وليمة الزواج يوماً واحد[1] فقط سواء كان في بيت الزوج أو الزوجة.

(٥) البَسْط

يمنع البسط نهائياً للمدعوين في بيت الزوج والزوجة.

(٦) الفَوْجه

ممنوعة مطلقاً.

(٧) المُحَايَاه

محايات الخالة لا تزيد على ثلاثين شلن فقط.

(٨) الباب

يمنع منعاً باتّاً ما يسمى الباب وكذلك الدفع الذي يعطى باسم الباب.

[1] Correctly *wāḥid-an*.

(٩) المَسْحَه

والمسحه بالكيفيـة الموجودة ممنوعة ويقتصر فيها على زيارة الزوج لأم زوجته، ولا بأس أن يذهب معه قريبا[1] له أو صديق، وأن لا يقدم له سوى القهوة كالعادة القديمة.

(١٠) المُشْتَرِحَه

أجرة المشترحه من أهـل المُوجِبَه لا يزيد على ثلاثين شلن، ولا يتبعها أي شيء من هدايا أو تَقَـاديم أو غيرها.

(١١) الطُرُوحَات

(أ) لا يزيد طَرْح أهل العَروس على عشرة شلن فقط.

(ب) طرح الزَفين شلن واحد فقط لمدة الشَرْح في بيت الزوجة، وشلن لمدة الشرح في بيت الزوج.

(ج) العروس التى تخرج لأول مرة يكون الطرح منها ثلاثة شلن فقط.

(د) أما طرح المَعْشَرَه الذي يعود لأهل الزواج لا مانع منه في الزواج الأول فقط.

(١٢) سَهَرَات الزواج

أقصاها للرجال والنساء إلى الساعة الواحدة.

(١٣) المَخْدَرَه

يسمح بالمخدره للرجال في الزواج الأول فقط ولكن لا يسمح بها للنساء مطلقاً.

(١٤) أجرة المُطْرِب

لا تزيد على خمسين شلناً.

(١٥) أُجرة المُشْتَرِح

لا تزيد على أربعين شلناً مقطوعة، أو عشرين شلن، وله أن يأخذ من الزفّانه والخيرة لصاحب المُوجِبَه.

[1] Correctly *qarīb-un*.

(١٦) زَفّاف العَروس

الزَفّة العلنية في الشوارع ممنوعة مطلقاً، ويجب أن يذهب بالعروس إلى بيت زوجها قبل الساعة الواحدة وأن تكون النقليه[1] داخل سِدّة أهل الزوج فقط.

(١٧) نَقْض العُقْده

ممنوع نهائياً ما يسمونه نقض العقده.

(١٨) النَقيلَه

ممنوع الدعوة العامة للنقيله ويقتصر على دعوة الأهل فقط بدون شَرْح ولا زَفين، ولا بأس بحفلة نساء في العصر تقدم فيها قهوة فقط.

(١٩) الشَوْف

ممنوع شوف النساء الفضوليات مطلقاً، ويقتصر الشوف لحفلات الأعراس للنساء المدعوات.

(٢٠) عوائد المَقَادِمَة في الأعراس تستمر كما هي بحسب العادة الجارية.

(٢١) سَرَيَان مفعول هذا القرار

(أ) يسري مفعول هذه الأوامر ويعمل بها من فاتحة محرم سنة ١٣٧٩ هـ.

(ب) وسوف تتولى الشرطة المدنية بالمكلّا تنفيذ هذه التعليمات.

(ج) وتقديم من يخالفها إلى محكمة نائب لواء[2] بالمكلا للمحاكمة.

(٢٢) العقاب

كل من خالف هذا النظام يعاقب بغرامة مالية تختلف باختلاف أحوال المخالفين على ألّا تقل الغرامة عن شلن ١٠٠/. (مائه شلن) ولا تزيد عن ١٠٠٠/.. شلن (ألف شلن). وفيما بعد سترتب الحكومة دفع مبلغ الغرامة لصالح الحافه التى حصلت فيها المخالفة ومن عجز أو امتنع عن دفع الغرامة يسجن لمدة لا تتجاوز أسبوعين.

[1] Said to be an error for *al-naqīlah*.
[2] Read *al-liwā'* probably.

بأمر صاحب العظمة
وزير السلطنة
السكرتارية – المكلّا
١١ شوال ١٣٧٨هـ.
الموافق ١٩ ابريل ١٩٥٩م.

Public Ordinance no. 10 of year 1959.

In the name of God, praise to Him.

In view of the ills, religious, economic, and moral, resulting from rivalry in the matters and affairs of marriages and the traditional practices thereof, in dress, bride-price, and other traditional customs, all exceeding the bounds of moderation to the extent of extravagance, our Lord, His Majesty the Sulṭān, resolved the following in Council, this by decree of the State Council no. 1, dated 10 Shawwāl 1378, corresponding to 18 April 1959.

1. The betrothal payment (*madād*)

For men the *madād* reception is absolutely prohibited, but the women's reception shall remain as is the custom, because of the presents thereat.

2. The bride-price (*jiḥāz*)

For a virgin the bride-price, as distinct from the wedding-present (*ṣubḥah*), shall not exceed 600 shillings.

For a woman previously married, the bride-price, as distinct from the wedding-present, shall not exceed 300 shillings.

There is no objection to a husband presenting a gift to his wife, provided its value does not exceed 50 shillings. It shall not be permissible for the wife to go to the husband's house with more than the following :

A bed, one (set of) bedding, three cushions, four pillows, a box, a case.

3. Clothes (*libās*)

Skirts and head-scarves intended for use at weddings and on public occasions—the price of a skirt must not exceed 60 shillings, and that of the head-scarf 20 shillings. Other apparel exceeding in price what has been mentioned is absolutely prohibited at weddings and public occasions.

4. The wedding breakfast (*walīmah*)

Whether it be at the husband's or wife's house, the wedding breakfast shall last for one day only.

5. The breakfast (*basṭ*)

The breakfast for invited guests at the husband's or wife's house is utterly prohibited.

6. The congratulatory gift (*fawjah*)

Absolutely prohibited.

7. The salutation-gift (*muḥāyāh*)

The salutation-gift for a mother-in-law (*kẖālah*) shall not exceed 30 shillings only.

8. The door-fee (*bāb*)

What is known as the ' door-fee ' is categorically prohibited, as also is the payment given under the name of ' the door '.

9. The laying-on-of-the-hand fee (*masḥah*)

The *masḥah*, in its existing form, is prohibited. It shall be confined to the husband's visiting his wife's mother, though there is no objection to a relative or friend of his accompanying him, provided that only coffee be offered him in accordance with ancient custom.

10. The female minstrel (*mushtariḥah*)

The fee paid by the family giving the wedding breakfast to the *mushtariḥah* shall not exceed 30 shillings, nor shall anything in the way of presents, gratuities, etc., go along with it.

11. Gratuities (*ṭurūḥāt*)

(*a*) The gratuity of the bride's family shall not exceed 10 shillings only.

(*b*) The gratuity for the *zafīn*-dance in the wife's house is one shilling only, for the period of the *sharḥ* dance, and in the husband's house also one shilling for the period of the *sharḥ* dance.

(*c*) For the first occasion upon which the bride comes forth (to perform the dance), the gratuity (given) by her shall be 3 shillings only.

(*d*) At the first wedding only there is no objection to the gratuity of the ' tray ' which reverts to the family (giving) the wedding.

12. Evening festivities (*saharāt*)

In the case of both men and women the very latest of these shall be up to 1 o'clock.

13. The *makhdarah* ceremony

The *makhdarah* is permissible for men at the first wedding only, but it is not permissible for women at all.

14. The musician's (*muṭrib*) fee

This shall not exceed 50 shillings.

15. The minstrel's (*mushtariḥ*) fee

This shall not exceed 40 shillings in all, or (alternatively) 20 shillings along with permission for him to take (gratuities (*ṭarḥ*)) from the dancers (*zaffānah*), the choice being up to the person giving the wedding breakfast.

16. The bridal procession (*zafāf al-'arūs*)

Public procession through the streets is prohibited outright. The bride must be conducted to her husband's house before 1 o'clock (a.m.), the ' transference ' (*naqīlah*) to be inside the gate of the husband's family only.

17. Cutting of the lock (*naqd al-'uqdah*)

What they call the ' cutting of the lock ' is absolutely prohibited.

18. The ' transference ' (*naqīlah*)

General invitation to the *naqīlah* is prohibited. It shall be confined to inviting only the family without *sharḥ* dance or *zafīn* dance, but there is no objection to a women's party in the late afternoon at which only coffee is served.

19. The viewing (*shawf*)

Viewing (of the bride) by intruding women is absolutely prohibited. The viewing shall be restricted to the women invited to the marriage ceremonies.

20. Customs of the headmen at marriages (*'awā'id al-maqādimah*)

These shall continue as they are, in accordance with current custom.

21. Coming into effect of this resolution

(*a*) These orders shall come into effect and be acted upon as from the beginning of Muḥarram 1379 (1959).

(*b*) The civil police in al-Mukallā will have charge of putting these instructions into effect.

(*c*) Any person disregarding them shall be brought for trial before the court of the Governor (*Nā'ib*) of the province (*liwā'*) at al-Mukallā.

22. Penalty (*'iqāb*)

Any person disregarding this statute shall be punished by a monetary fine, varying according to the circumstances of the offenders, but the fine shall not be less than 100 shillings, nor exceed 1,000 shillings. Government shall subsequently apply the sum paid by way of fine to the benefit of the ward (*ḥāfah*) in which the offence took place. Anyone unable, or refusing to pay the fine, shall be imprisoned for a period not exceeding one fortnight.

By order of His Majesty.

The Minister to the Sulṭanate,

The Secretariat,

Al-Mukallā.

11 Shawwāl 1378, corresponding to 19 April 1959.

Commentary

1. The *madād*

The *madād* means the proceeding of the intending husband accompanied by his relations and friends, to the house of the wife (*zawjah*) to be, in order to announce the betrothal (*i'lān al-khuṭbah*), and pay over the betrothal money. The name *madād* applies both to the ceremony and the actual sum of money. It was described to me as ' coffee in the bride's house (*qahwah fī bait al-'arūsah*) '.

On another occasion it was stated that a boy's father calls upon the parents of the intended bride; he may take his son with him, but usually does not. He is entertained to coffee and pays over the *madād*, thereby indicating that a sort of betrothal has been formalized. All this business is kept fairly secret from the girl herself. The *madād* used to be fixed at about 30 rupees (a statement which must refer to some ten or more years ago), but each person pays at rates varying according to his social class, his means, etc. The town council (*majlis baladī*), and that of Ghail Bā Wazīr was no doubt in the speaker's mind, might restrict the amount, and in older days still, a fixed sum might be imposed on the community by the decision of the headmen (*'uqqāl*); this they would even be able to dictate to such noble classes as the *sādah* themselves.

The women also have a kind of *madād* ceremony when the bride's mother is visited by womenfolk bringing presents, to say to her, '*Mabrūk*!' i.e. congratulations on the betrothal.

2. The *jihāz*

The *jihāz* was explained as the *daf'* or *dafī'ah*,[1] i.e. the bride-price. It is provided by the bridegroom's side, and delivered to the bride's father. He retains it to apply it to the expenses of the wedding, but presumably, as Doreen Ingrams [2] suggests, he does quite well financially out of the bride-price. In the Bādiyah, the Bedouin areas, the *dafī'ah* is thousands of *riyāls*, paid of course to the father of the bride or to her family. The Bedouin do not pay any of the *mahr* or dowry at all, but it remains a debt, unless of course the girl should be divorced, when it must be paid over to her. The *mahr* is for the girl herself, however, in contrast to the *dafī'ah*, which goes to her family.

The *ṣubḥah* is the gift made to the bride after intercourse is presumed to have taken place for the first time. Ansaldi [3] considers it is made in compensation for the loss of virginity and this has frequently been confirmed to me. In the present context nevertheless where the woman has already been married, it could hardly apply in this sense. In Ḥaḍramawt nowadays this gift is a large trunk, with clothes, perfumes, a watch even, and all manner of things.

The gift to the intended bride is made by the fiancé through his mother to her mother, and will include an expensive frock, soap, perfume, etc., no doubt very like the gift described by Doreen Ingrams.[4]

At the time of the *nuqlah* or transfer of the bride to her husband's house, she brings with her a bed (*qa'ādah*) and bedding, along with other furnishings (*aṯhāṯh al-zīnah*) with which the *majlis* or room is to be decorated at the husband's family's house. The *midkāh* (pl. *madākī*) is a cushion.

[1] cf. Landberg, *Ḥaḍramoût*, 476. In Yāfi'ī country in 1954 a typical case would be a *daf'* payment of 100 riyāls, half of which would be silver for the bride, half to go to her father. The groom would have to purchase what was necessary for the marriage in the way of clothes, wedding gear (? *adāt al-zīnah*), and entertainment (*iṭ'ām*) of the guests. Her father would have to send cosmetics (? *dihān*), turmeric (*hurud*), and a veil (*hijāb*). I am not quite certain what is exactly covered by these terms, for local custom differs greatly from place to place.

[2] *Survey*, 44. [3] C. Ansaldi, *Il Yemen*, Roma, 1933, 210–14. [4] *Survey*, 44.

3. Clothes

In both Tarīm and Shibām I learned that the sumptuary laws had attempted to limit expenditure on women's frocks, but these regulations had always become a dead letter. The *kurtah* (pl. *kurat*) is a Persian word (via India) for a skirt; the *nuqbah* (pl. *nuqab*) is a kind of head-scarf, and an example we purchased is of gauzy material with embroidery in gold and coloured threads, decorated with spangles (*ra'shah*). I was told that a bride wears, apart from jewellery, a *kurtah*, *nuqbah*, and a *gōgarah*, i.e. a petticoat worn under the skirt, at her wedding.[1]

4. The *walīmah* or wedding breakfast

This is also called *walīmat al-zawāj* or *walīmat al-'urs*, or it is known as *al-ḍīfah*. There are two meals given, the first in the bride's house on the *lailat al-'aqd*, the evening meal (*'ashā'*). This is returned by the groom's family with a large *wajbah* or lunch for all the bride's family and friends, as well as his family and friends after the *dukhūl* following on the *'aqd*. These invitations (*'azūmāt*) are then repeated between the groom's and the bride's families, but with a smaller number of guests (*ma'zūmīn*) than before.

5. The *basṭ* or breakfast

The *basṭ* is something like the *walīmah*, only with a smaller number of guests. It is the breakfast given by the family of the bridegroom on the *lailat al-dukhlah*. The girl comes to the groom's house, al-Bīḍ thought between 4 and 5 a.m., but Midaiḥij said, round about 1.30 a.m., accompanied by her relatives, and the bridegroom's house provides them with the *basṭ*, which would be *harīs* (savoury dough) [2] made with meat, though nowadays it is more likely to be meat and rice.

On the *lailat al-dukhlah* the bridegroom, according to al-Bīḍ, leaves the bride's house for that of his parents between 12 midnight and 2 a.m., the girl following him between 4 and 5 a.m. At this early hour the women accompanying her mostly go unveiled, and take *basṭ* in the groom's house.

6. The *fawjah*

This term is difficult to translate. There is, however, a sentence in the *Lisān al-'Arab*

من قولك مرّ بنا فائج وليمة فلان — أى فوج ممّن كان في طعامه.

A *fawj* also means, *al-jamā'ah min al-nās*. These phrases suggest a derivation for the word *fawjah*.

Midaiḥij thinks the word *fawjah* is not specially linked to marriage celebrations, but applies to visits on several types of festive occasion, and the gifts brought at such times, as for example a gift of eggs to a woman when she is visited after bearing a child.

[1] My wife insists that women wear a little Malayan or Indian type *ṣudairīyah* or jacket as well but says this only applies to the coast not to the Wādī Ḥaḍramawt. The *ṣudairīyah* was not, however, mentioned by my informants, possibly through oversight.

[2] Serjeant, *Prose and poetry*, Ar. text, p. 33.

Visiting the bride's mother (*umm al-ʿarūs*), guests bring gifts in accordance with their means, even if only a few bananas. At al-Shiḥr a congratulatory visit takes place before the wedding, but it can also be made during the marriage, especially on the *lailat al-ḥinnā'*, the ' night of the henna '.

7. The salutation-gift

The term *muḥāyāh* is derived from the verb *ḥāyā-(hā)* ' to kiss someone ', and Landberg[1] states that it means ' saluer quelqu'un, lui dire *ḥayyā bak* '. The latter is one of the commonest greetings in Ḥaḍramawt. In this case, however, it means to kiss with respect, whereas *shamm*, properly, and indeed actually, ' to sniff ', is used of kissing with affection or passion. One says, *ḥāyait-hā* ' I kissed her '. When you see the bride's mother (*al-khālah*), you go and kiss her on the forehead, dropping a gift of money in her lap. It is at the time of the *masḥah* (*infra*) that you first see the bride's mother, whom of course in Muslim society you could not properly have seen unveiled before, but of course marrying her daughter brings her within the prohibited degrees and you can therefore see her unveiled.

8. The door-fee

Al-bāb, literally ' the door ', is applied to the tip that you give to the tire-woman (*al-kawbarah*) at the door of the bride's room on the *lailat al-dukhlah* to let you enter, but this is probably no longer a general custom at al-Ghail and has perhaps not been so for the past fifteen years.

In Ghail Bā Wazīr you go to a room upstairs and the girl is brought in by the female minstrels (*mushtariḥāt*), and when she comes in you stand up, put your hand on her forehead, and kiss your hand. The women conduct her to the bed, and all depart except the *kawbarah*. The *kawbarah* will start to take off her *nuqbah*, and the *ḥulī* or ornaments of silver, but if you give the woman a *rubbīyah* before she takes them off you can do this yourself. Otherwise she will divest the girl of all her finery, leaving her in her skirt (*kurtah*) only.[2] The groom may now consummate the marriage—in the house of the girl's parents, but Midaiḥij said he thought that this step was far from general, and that only sometimes does consummation take place at this stage. Al-Bīḍ said that it applied to the classes not *ʿaskar*, i.e. Yāfiʿīs who are tribesmen of the military class.

9. The *masḥah*

I presume that this part of the ceremony as performed at Ghail Bā Wazīr takes the form of placing one's hand on the girl's head and kissing it, as described in the immediately preceding section.

Midaiḥij, however, whose experience of local custom is derived from al-Shiḥr and al-Mukallā, says that on the *lailat al-dukhlah* between 9 and 10 p.m., the groom proceeds to the bride's house accompanied by drums, etc., and

[1] *Gloss. dat.*, 541.

[2] With a *ṣudairīyah* also ?

after a time departs upstairs along with one of the bride's male relatives, carrying his rosary (*ṣubḥah*) in his hand. The said relative takes the bridegroom's hand holding the rosary, and moves the hand clasping the rosary over and around the head of the bride. It is about this time that he meets her mother.

After this the bridegroom returns to the sail (*shirā'*) which has been stretched over the street for the marriage festivities; it is a sort of reception room in front of the bride's house, and the groom's house has a sail set up in front of it in the same way.[1] The groom may linger a quarter of an hour sitting under the sail, then he returns home. Later he will come back to the bride's house for the *dukhūl* ceremony.

10. The *mushtariḥah*

The *mushtariḥah* is the woman minstrel, singing to the accompaniment of her drum. In al-Ghail she is described as the female drummer (*ṣāḥibat al-ṭabl*), but she is also called the *zaffānah*, because she *tuzaffin al-'arūs*, lit. 'makes the bride dance'. The *zafīn* seems to be applied to the *sharḥ*[2] or dance (*raqṣ*) of the women in the afternoon preceding, and that following, the *lailat al-dukhlah*. The bride usually dances first, along with her nearest relation. In al-Mukallā, at one time, the bride used to be conducted from her house to that of her new husband dancing, but nowadays she dances only from the door to the top of the house (where the women's quarters are).

In Ghail Bā Wazīr the *mushtariḥah* gets a special fee (*ujrah khāṣṣah*). When she arrives you bring in biscuits, sweets (*ḥalāwā*), and tea for her—this is called a *taqdūm* (pl. *taqādīm*). Again, when she leaves, she may be given a present of, for example, a tin of *ḥalwā* or of honey (*'asal*). In Ghail Bā Wazīr, the *mushtariḥāt* are slaves (*'abīd*) and *ḥujūr*; of the latter there are one or two families living at al-Ghail. They use the *ḥajīr* and *mirwās* drums.

11. The gratuities

The *ṭarḥah* (pl. *ṭurūḥāt*) is a gift to the female minstrels (*mushtariḥāt*) of five shillings, or the sums specified here. The *ṭarḥah*, according to Landberg[3] is 'ce qui contient la main', and 'arrhes, ce qu'on donne aux nouveaux mariés'. The second sub-clause refers to gratuities given by the dancers to the female minstrels, as explained at greater length in the commentary to clause 15.[4] The third sub-clause refers to the first dance by the bride either after or before *al-dukhūl*, it being immaterial whether she be a virgin bride or one who has already been married. The fourth clause was explained by al-Bīḍ to refer to

[1] I recollect something of this kind at a reception given us by Ḥaḍramīs in Mombasa, the street also being decorated with streamers or coloured cloth running from one side of the street to the other.

[2] The *sharḥ* includes the *sharḥ* of the men and that of the women.

[3] *Gloss. dat.*, 2200.

[4] See p. 490, and my 'The Ma'n "gypsies" of the West Aden Protectorate', *Anthropos*, LVI, 5–6, 1961, 740.

the *ṭarḥ al-ma'sharah*, the 'gratuity of the tray'. The *ma'sharah* is a sort of metal tray or bowl, but the word may also be applied to the *tifāl* which is of palm-frond (*khūṣ*), sometimes used for *al-ṭarḥ*. It seems this ceremony is only performed when a man or a woman is marrying for the first time. Al-Bīḍ stated that when a man of a poor family wishes to marry, but cannot afford to do so, the family resort to the following device. They shave his head and dance, and while the application of henna is going on so does the shaving (*ḥalāqah*) of the head. The *ma'sharah* is set in the middle of the room and people throw into it *riyāls* or other coins. He stated also that this practice is rare nowadays, but I wonder if this applies more particularly to his experience at Ghail Bā Wazīr. I was present at the betrothal of the Wāḥidī Sulṭān in 1947 when coins were flung by the company into a tray in the house of the girl's father.

12. Evening festivities

Dancing and singing are intended here.

13. The *makhdarah*

Basically the *makhdarah* is a hut or tent erected on the occasion of a marriage [1]; or, as has been seen, in the coastal parts of Ḥaḍramawt, a sail stretched over the street outside the house where the marriage ceremonies are taking place. The work of putting it up would be executed by the Quarter or Ward of the town or village which plays a part in weddings as I have already described.[2] Midaiḥij described the *makhdarah* as a high platform (*minaṣṣah 'āliyah*) near the groom's house, if not actually in it, decorated in various colours, and provided, nowadays, with an amplifier. Here the groom sits, and after music and festivities (*lahū wa-ṭarab*) the presents are made, all this usually taking place at night. Carpets are laid down before the *makhdarah* and/or chairs for the guests ranged before it also. In front of the bridegroom is placed a bowl (*ṣaḥn*), usually of copper, but nowadays often of aluminium, into which the presents of money to the bridegroom are tossed, the coins ringing (*taḥinn*) against its sides, this being why a metal bowl is preferred.

The *makhdarah* of the women is in the bride's house, and it is this that is prohibited by the Ordinance. It usually takes place before that of the men and lasts a longer time. It is, however, quite clear that, as 'Abdullāh Muḥammad al-Maqṭarī has confirmed to me, the term *makhdarah* has come to be applied to the money gift made on this occasion, as it is in Aden. It would also seem to apply to the ceremony itself.

In Aden the guest entering the door of the *makhdarah* would see the bridegroom opposite him, sitting on the right of the platform, his male relations near by him.

[1] See p. 478, n. 1, *supra*. E. V. Stace, op. cit., 186, mentions a Bedouin word *sībāṭ* as synonymous with *makhdarah*, but I have not yet had this confirmed.

[2] Serjeant, *Prose and poetry*, p. 27.

14. The musician (*muṭrib*)

At the *makḥdarah* which also has the nature of a musical evening, and at weddings generally, people sit and listen to the musician who is a guitar-player (*muqambis*). The *muṭrib* is displacing the *mushtariḥ* or minstrel in more sophisticated Ḥaḍramī circles. It might be added here that, according to the Aden and Ḥaḍramī press, very considerable changes have been introduced into the music of southern Arabia, this having taken place more particularly during the last eight years or so.

15. The fee of the minstrel (*mushtariḥ*)

The term *mushtariḥ* embraces both the minstrel and the female minstrel, the one performing at the men's side of the marriage, and the other at the women's side. In the olden days, and even now, it used to be slaves who acted as *mushtariḥs* with drums and the flute (*madrūf*); the *ḥajīr* and *mirwās* drums being beaten by the *mushtariḥ* or *zaffān* as he is also called.

Among the women too, in the olden days, the *zaffānah* or *mushtariḥah* used to have money tossed in front of her by the women as each one danced, say 5 shillings a time, i.e. a Maria Theresa dollar, and the *mushtariḥah* might make up to 2,000 shillings a night. Now this has ceased, and whatever else of the provisions of this Ordinance may not, in actual practice, be observed, the limitation on her fee, as remarked, has become effective. The party giving the wedding (*ṣāḥib al-'urs*) may take this money nowadays for himself; each money gift is known as *ṭarḥ*.

Midaiḥij explained the function of the female minstrel as, *Al-mushtariḥah tuzaffin al-'arūs—tarquṣ ma'-hā fi-'l-waqt alladhī taḥḍur fīh al-'arūs li-'l-sharḥ* ' the female minstrel makes the bride dance, dancing with her when the bride comes in to dance '.

16. The bridal procession

The *zaffah* is the conducting of the bride to her husband's house by night, to the accompaniment of the singing of the *mushtariḥah*, the beating of the drums and *ḥajīr* drum, and ululations (*zaghārīd*); she is, of course, accompanied by the women from her father's house, her mother, sisters, and female relatives. The word *naqlīyah* was stated by Midaiḥij to be a misprint for *al-naqīlah* (*infra*), or *al-nuqlah*, i.e. the *intiqāl* or transfer of the bride from her father's house (or in the case of an orphan from the house of one of her relatives (*aqārib*)), to that of her husband. In the interior of Ḥaḍramawt she will usually still be conveyed on the back of an animal, but in al-Mukallā, by car. The *zaffah* takes place on the *lailat al-dukhūl*; this must, I suppose, be the case where the marriage is not consummated in the bride's house.

17. *Naqḍ al-'uqdah*

This is the loosening of the lock of hair or plait, the *'uqdah* being a lock of hair on a girl's forehead, or perhaps a fringe which was loosened or cut

by the tire-woman (*kawbarah*) after the marriage, once she is no longer virgin. This custom is said to be rather rare nowadays.

18. The ' transference ' (*naqīlah*)

Apart from its application in article 18 the *naqīlah* also means the visit paid by the new bride, eight days after the wedding, to her father's house. Her husband will accompany her on this visit to her former home ; in both cases, however, the *naqīlah* is an expensive business. In al-Mukallā it is also called *naqḍ al-thamān* ; other names are *naql thamān*, and *al-nuqlah*. Generally there is a sail (*shirā'*) in the street near the house for the women's *sharḥ* dance.

19. The viewing (*shawf*)

In Ḥaḍramawt the young unmarried girls see little of married women and, being shy, avoid them also. *Al-shawf*, lit. ' the seeing ', i.e. the viewing of the bride, takes place at the marriage, on the *lailat al-zawāj*, i.e. the *lailat al-dukhlah*, but especially at the *nahār al-ṣubḥah*, lit. ' morning of the " trousseau " '. The women come to see what the girl looks like now that she is emerging into the society of married women, whether she is pretty, nice, and the like.

20. The customs of the headmen

These have already been described [1] by me in various places. The headmen are the elders of the quarter or ward of the town and very jealous of traditional rights and privileges. It is perhaps an indication of the power of the quarter organizations that despite press attacks on the quarters (*al-ḥuwaif*) of the Ḥaḍramī towns, it is here stipulated that their customs should remain unchanged. In brief either the young man's father, or the bride's father, or both, go, taking a little present to the headman, known as *qahwat al-'urs* ' the wedding coffee ', and the headman arranges for a sail to be put up as an awning to keep off the heat of the sun, and for all the slaughtering, cooking, etc. necessary to the wedding celebrations.

As an illustration of the influence of the quarter organization, it appears that in al-Ghail there is a tendency for families, nowadays, in different quarters, not to intermarry because of the unseemly disputes that may arise at times of marriage. For example, the bridegroom cannot cross into another quarter accompanied by the drums and singing with which he passes through his own quarter. When he comes to the boundary between the two quarters the festivities must stop, and he enters the other quarter silently. For him to try to enter another quarter with the ceremonial of his own quarter, is an infringement of the sovereignty and privilege of the other quarter which cannot be tolerated even if upholding of this privilege should lead to bloodshed.

Ḥaḍramawt of the interior : terms relating to marriage

The late Saiyid Muḥammad b. Hāshim generously placed at my disposal

[1] loc. cit., pp. 27, 47 ; ' The quarters of Tarīm ', *Le Muséon*, LXIII, 3–4, 1950, 277–84, and in my forthcoming study on fisher customs.

some years ago certain lists of colloquial Arabic words classified by subjects, among which were the terms listed *infra*, but I had no opportunity of discussing them with him. Midaiḥij, however, has offered explanations to the best of his ability, though, since he comes from the coast, and Saiyid b. Hāshim came from Tarīm, he cannot be absolutely certain as to their precise application. Nevertheless his comments have both value and validity.

Taḥḍīr (تحضير).[1] Explained as *ḍarb al-ṭabl*. Young boys beat the drum during the days of the marriage to summon all to come (*yuḥaḍḍir*) and enjoy the marriage festivities. The young girls do this among the women in their own part of the house.

Takhḍīr (تخضير).[1] The days of the wedding during which the girl, still in her father's house, prepares for the bridegroom with *ḥinnā'* and her hair is done into plaits (*'uqad*).

Takhāwīd (S, *takhwīd*) (تخاويد). The removal of a woman's *nuqbah* or head-scarf, be it at the marriage or on any other occasion. To say of a woman, *takhawwadat*, means she has nothing on her head. Midaiḥij thought the word was used in the interior of Ḥaḍramawt, and amongst Bedouins. I surmise that it is part of the procedure on the *lailat al-dukhūl*.

Ḥarāwah (حراوه). The party which accompanies the groom to the girl's house, and hence a general term for a marriage celebration. These men who accompany the groom are called *ḥarwīyīn* (حَرْوِيِّين), i.e. *ma'āzīm*, invited persons.

Khurush (خرش). Probably *qanāqin* which Midaiḥij described as a sort of ear-ring, and Landberg [2] as *grelot*. I am virtually certain that I have seen a series of small bells of silver attached to the outer rim of the ear, worn by little girls, but probably only from tribal areas.

Khaṭrah (خَطْره). At Tarīm this is a big entertainment (*diyāfah*) a month after the marriage to which the wife's parents invite all the husband's relatives. A *shaḥḥādhah* is present who calls down blessings and prayers on those present.

Khaiba'ān (خيبعان). A song sung in the women's part of the ceremony, an example of which I have already published and described.[3]

Dihīnah (دهينه). A good meal, from *dihn* ' grease, fat, oil ', to be compared with *iddasam* which is also employed in Ḥaḍramawt [4] in a rather similar sense. It is possibly a term for one of the feasts given during the wedding.

Shawfah (شوفه). Probably the same as the coastal *shawf*, *supra*.

Ṣubḥah (صبحه). Present after the loss of maidenhead, as above.

Ḍīfah (ضيفه). Marriage feast, as above.

[1] It is not clear which of these words was meant by Saiyid Muḥammad b. Hāshim, but Midaiḥij thought either possible.

[2] *Ḥaḍramoût*, 697. [3] Serjeant, *Prose and poetry*, p. 168. [4] op. cit., p. 50, n. 99.

Ghussah (غُسَّة). A Badawī word, the leaves of the *sidr* tree. A circle is formed in the middle of which the groom is seated and his hair washed with the *ghussah*. Among the Bedu it is a woman who performs this office, since with them the sexes are not segregated to the same extent as in the towns, but women mix relatively freely with men as a rule. This *ghussah* (cf. *ghusl*) [1] is or was contained in a bowl (*qadaḥ* or *ṭust*) into which the guests used to throw Maria Theresa dollars. The *sidr* leaves are saponiferous. Nowadays, at any rate in the towns, *ghussah* is not employed, but a man has his head shaved.

Ẓallah (ظَلَّة). Lit. 'shade'. The invited guests rest in the shade of a large tree outside the village where the marriage is to take place. They fire off their rifles as a greeting, and to inform the villagers of their arrival. The villagers issue forth from their village to welcome the *ma'āzīm*, firing their rifles in reply, and escort them back into it.[2]

Qarīḍ al-sha'r (قريض الشعر). Synonyms *manaṣṣat al-sha'r* (مَنَصَّة الشعر), *quṣṣah* (this latter a Bedouin term), a fringe of the girl's hair. Some at least of this they cut off (*qaṣṣin quṣṣat-hā*). It has never been cut up to the time of the girl's marriage, but on the marriage day it is cut off by the *kawbarah* or tire-woman, as on the coast.[3]

Ku'dah (كعده). A coffee *dallah* or kettle. I do not know why so ordinary an object should be included in B. Hāshim's list, unless the term has been given some specific application in Ḥaḍramawt.

Kilān (كِلان). The bridegroom,[4] مُعَرِّس.

Mūjibah (مُوجِبَة). *Walīmah*, wedding feast.

Some general notes on marriage

Among the leisured upper classes of Tarīm, a girl, when she arrives at the age of maturity (*dakhalat fi-'l-sinn*), and is a young virgin (*'adhrā'*), goes into a sort of retreat; she is then described as *maḥjūbah*. For several years she will not go out of the house, and seems to remain on the top floor for the most part, avoiding the company of married women even. This apparently holds true of the coast also. On the other hand the lower classes in Tarīm are not in purdah, though I am unable to say where the dividing line comes, but it must be remembered that purdah is a sign of rank, and that it may

[1] cf. *Gloss. dat.*, *ghasl*, p. 2369, meaning *'ilb* and *sidr*.

[2] In one set of fragments of medieval tribal law placed at my disposal by the late Ettore Rossi it seems that small boys are allowed to stone those arriving with the husband, i.e. groom, at the *awwal fitnah* but after they have been welcomed (to the village) they may no longer be stoned. This appears like a relic of marriage by capture, and indeed from Upper 'Awlaqī country I recall the saying *khadhaw-nā bi-'l-bārūt yā bint al-masājid* 'they took me by gunpowder, you daughter of the mosques', the phrase implying that the girl was carried off and married. In the case here, however, I think there is only the normal greeting between two parties when they meet.

[3] cf. *supra*, pp. 490–1.

[4] cf. *Gloss. dat.*, 2582.

not be irksome to the majority of Arab women in the way that Westerners often imagine.[1]

In Tarīm I was told that a *saiyid* might see the daughter of a *miskīn* in the street and fall in love with her. He would ask whose daughter she is, inquiring about her and her temperament. If he wants to marry her he would send a *khaṭīb* to ask for her hand, but also he will send a *khaddāmah* or some female known to him, to ask about the girl. The difference in mental outlook between the Ḥaḍramī woman of the upper classes and the *miskīns*, though there do exist differences, would appear to be in no way comparable with conditions in Europe. The *miskīn* would be delighted should a *saiyid* desire to marry his daughter, and it does sometimes happen. The girl will never of course attain the social standing of a girl in whose veins the blood of the Prophet runs, but she will have risen in social standing, and her children will have the honourable strain of the Prophet's blood. *Kafā'ah*, of course, in the sense that a woman cannot marry beneath her, is strictly observed in Ḥaḍramawt.

There are appropriate and inappropriate times of the year for marriages to take place; for example one does not marry between the two feasts (*bain al-'Īdain*) as it would be bad luck (*shaqābah*), hence Sha'bān, immediately preceding Ramaḍān, is a good month in which to marry. Almanacs sometimes indicate suitable seasons for marriage.

Midaiḥij told me that among the Bedouin a cousin can put a stop to a marriage right up to the last moment, because of his prior right to the girl's hand, but as he remarked specially on this point I infer this is not at any rate a right that can be exercised in the towns. He added that the Bedouin have what is called *lailat al-tafannun*, an evening when the girl can wish of the groom whatever she likes, be it for herself or for her family, and he is bound to give it her.

In Tarīm a boy is told by his father, 'I am going to marry you'. The boy has no choice in the matter, nor can he say no. The father has probably already a girl in mind for his son, and in the Āl Kāf family he goes himself to ask for her hand, it being the rule among the Āl Kāfs that the first to ask for the girl's hand gets it. According to my informant (in 1947) he will say, *Baghait bint-ak* 'I want your daughter'. This statement does, however, seem a little stark to me. Among the Āl Kāfs a girl will get a *jihāz* of 500 rupees, not really a very large sum for those days (1947) and she receives a wedding present of clothes, etc.

On my first visit to the Wādī Ḥaḍramawt the expression *qud-hā fi-'l-tifāl* 'she is on the palm-leaf mat now' was quoted to me, meaning that the matter is already established fact. At marriage festivals at one time a girl, whether a *saiyidah* (*sharīfah*) or otherwise, used to be put to sit on a mat of this kind,

[1] There has, however, been some agitation in Aden for abandonment of purdah, probably mainly stirred up by certain journalists and female secondary school teachers. A booklet, *Thawrat al-mar'ah 'ala 'l-ḥijāb fī janūb al-Jazīrat al-'Arabīyah*, ed. Muḥammad Shafīq, Aden, n.d., but *circa* 1960–1 perhaps, has appeared—vapid schoolgirl essays having no contact with reality.

probably at the henna-ing, or later. Even in 1947 this custom was said to be obsolete, except perhaps in some of the villages. The import of the phrase is that the relations on either side can no longer discuss or fight over her and refuse marriage at so late a stage.

It is shameful that a man should treat his virgin bride roughly on the first night of marriage. So his mother or eldest sister will instruct him beforehand about the procedure in the wedding. They do not consider it decent to talk openly about the defloration of the bride, but they will give him indications of what they mean. This statement was made to me for Ḥaḍramawt of the coast, but I think it would also apply to the interior. In Aden a much more primitive custom still obtains, though not of course among educated young men who would not tolerate it. There even to this day the tire-woman, *mukaddiyah*, the Ḥaḍramī *kawbarah*, sits below the marital bed which is of a type imported from India and called *nāmūsīyah*, standing quite high above the ground, while the marriage is actually in the process of consummation—in the case of a virgin bride—and gives instruction to the bride. When the action is completed the *mukaddiyah* takes the *mansh̲afah* and displays it to the near relatives assembled in the bridegroom's house. She then ululates (*tugh̲aṭrif*), and the neighbours know the groom has had his way of the bride. Next morning they come to congratulate him on his prowess.

Learning this recently I was astonished, never having heard of the custom in South Arabia before, though it is known in Cairo, in Morocco,[1] and other places, but it does seem to support an impression formed from reading and conversation that Aden town tends to be more conservative of ancient pagan customs and practices of a type repugnant to orthodox Islam, than Ḥaḍramawt. Among the educated Adenese, however, i.e. Adenese with a Westernized form of education, the *mukaddiyah* gives the bride instruction on sexual matters before the groom comes to her.

I have already had occasion to refer to the interesting book written by al-Baiḥānī, a leading Islamic divine in Aden, and entitled *Ustādh̲ al-mar'ah*, or the ' Woman's preceptor ',[2] in which he attempts to lay down rules of conduct for the Muslim woman, adapted to present-day circumstances but in accordance with traditional Islamic principles. As exemplary of the *via media* he treads, while condemning out of hand walking in the streets with one's betrothed,[3] he goes on to state that it is a bad custom with the Adenese that a man cannot see his betrothed (*makh̲ṭūbah*), knowing nothing of her, except on the night when she is conducted to him, relying for his knowledge of her on his mother or the *māsh̲iṭah* (tire-woman), called with them the *mukaddiyah*, who is only concerned for her *masḥah* and what she gets from the spouses and their families.

The *mukaddiyah* acts as an intermediary, and knows all the wealthy families. The *masḥah* is a fee which the bridegroom has to pay her before he can meet his

[1] E. Westermarck, *Marriage ceremonies in Morocco*, London, 1914, 228. In general the ceremony described bears a very close resemblance to those of South Arabia.

[2] *supra*, p. 473, n. 3.

[3] *Ustādh̲ al-mar'ah*, p. 149.

bride, say 20 to 30 shillings (1961). On this occasion his friends also throw, say, 5 shillings each, into a small dish (*ṣaḥfah ṣaghīrah*) which, too, is the perquisite of the *mukaddiyah*. The bridegroom can then stroke the bride's head (*yimsaḥ 'alai-hā*) and bolder spirits may lift the *maqramah* or head-veil which covers her, to look at her face. As we have seen, the same custom obtains in Ḥaḍramawt.

In Aden the corresponding name for the female minstrel, the *mushtariḥah* of Ḥaḍramawt, seems to be the *'alaqah*, and she not only sings and beats the drum at weddings and other festivities of women, but appears to be a sort of witch doctress in that she functions also at the *zār* ceremony which is illegal in Aden, but kept up in secret as I am told.[1]

Al-Baiḥānī also reproves what goes on at the man's side of the wedding festivities [2] in the way of play, excitement (*ṭarab*), dancing, wine, profligacy, and libertinage (*khalā'ah wa-mujūn*). It seems that at weddings there is dancing by the *makhānīth* (s. *makhnūth*), young men who walk with a womanish gait—this it appears is what al-Baiḥānī castigates so roundly, as also extravagance (*isrāf*) at the wedding breakfasts (*walā'im*) and the processions (*zafāf*) of both bride and bridegroom. As in Ḥaḍramawt the Adenese make gifts of money (*naqṭ* (class. *naqd* ?)) [3] at the *makhdarah* of the groom, and its equivalent, the *muk'us* of the bride. The type of song sung at the men's ceremony is,

يا عَلَى ٱمْحِنَّاء	يا على ٱمحنّـــاء [4]
حَنُّـــوا لِٱبْنَنَـا	وَٱبن سيدنَـــا
سَعْد يـا مسعود	بَخِّرُوا بِٱلعُود (*bis*)

Come to the henna-ing, come to the henna-ing.
Henna our son, and the son of our lord.
Sa'd, O Mas'ūd,[5] cense with aloes.

The polygamous family in Ḥaḍramawt

In Tarīm (1947) I made a few jottings on the subject of wives in a polygamous family. Where a *saiyid* marries more than one wife, to avoid trouble each wife has a separate house. Even in the *miskīn* class if a man marries a second wife, he will try to provide a separate house for each of them. He might not buy a house if unable to afford it but he would rent a house. I know of a case in another town where two wives were kept in the same house but public opinion was against it. A certain wealthy *saiyid* born in more spacious

[1] There is a brief reference to the activities of the *'alaqah* in Muḥ. 'Alī Luqmān, *'Adan taṭlub al-ḥukm al-dhātī*, Aden, n.d., 40.

[2] *Ustādh al-mar'ah*, p. 55.

[3] One says, *yanqaṭū luh* ' they make money presents to him '.

[4] The first and third lines are on the pattern *fā'ilātun mustaf'ilun*, but the second line does not fit into the pattern. If the *am* of the article is a relic of the *am* used in the Aden Protectorate in some districts, and not merely because it is easier to say, it is odd that it should have survived in these verses.

[5] A slave name.

days whom I used to know slightly, had had no fewer than seven wives in all, but this must be unusual; these were:

(1) a *sharīfah*, by whom he had several offspring;
(2) a *shaikhah*, a *qarawīyah*;
(3) a *shaikhah* of the Bā Faḍl family;
(4) a *saiyidah* (*sharīfah*);
(5) a *qarawīyah* of a family of *mashāyikh*;
(6) a *sharīfah*;
(7) a Chinese woman.

The *saiyid* in question had undoubtedly spent periods of time in the Far East, especially in Singapore. I withhold his name because it is displeasing to the *saiyids* to have information about their womenfolk made public, however innocuous it may be. Normally in a family the first wife to be married has the highest status, but were a man, i.e. a *saiyid*, to marry a *shaikhah* first, then a *sharīfah*, the latter would rank higher, and moreover her son would take precedence over the *shaikhah*'s son, even if the latter were older, and the *sharīfah*'s son it would be who would act in his father's place. On the other hand both sons would inherit equally from their father.

Cosmetics

It is interesting to examine al-Baiḥānī's attitude to cosmetics, traditional and modern,[1] which play an important role in the preparation of the bride. Islam, he states, commends proper *tajammul* and *tazaiyun*, i.e. ways of a woman in beautifying herself, but forbids what is excessive or contrary to custom, because of its resemblance to that of infidel women—he means probably European women in the particular context. There are various well-known Traditions current in South Arabia on this point—such as the Tradition that he who dresses like the infidels will be resurrected with them which Raḥaiyam used frequently to repeat to me in Tarīm. Tattooing, al-Baiḥānī says, is *ḥarām* and should be removed if this can be done without causing undue suffering. This is curious because my impression is that it is confined to Bedu, that is, to tribal women, and in Ḥaḍramawt it is laughed at by townswomen. Perhaps al-Baiḥānī is reiterating an anti-tribal prejudice. Also prohibited is painting and plucking of the eyebrows (*tanqīsh al-ḥājib wa-tarqīqu-hā*), and removing of the hair of the face with the thread (*khait*) to make it wider and clearer.[2]

A woman may use henna (*khiḍāb*) on her face, hands, and legs, and designs drawn with henna (*al-takhṭīṭ bi-'l-ḥinnā'*), *kurkum* 'curcuma', *'usfur* 'saffron', *wars* (the well-known yellow cosmetic of the Yemen), and powder for cheeks and lips. If grey-haired she may apply yellow and red (*ṣufrah wa-ḥumrah*) to her hair, providing her husband does not disapprove. A husband is bound

[1] op. cit., p. 82.

[2] This is unclear and has not been explained to me.

to supply *sidr* leaves required for washing the hair, sesame (*simsim*) oil, coconut oil, and the unguents known to-day, with or without perfumes, kohl, henna, and perfumes.[1]

At weddings undue expense and competition in ostentation (*mufākharah*) between women in respect of clothes and jewellery are forbidden.

The ladies of Aden of course treat the learned *'ālim*'s precepts in much the same way as women have always treated the attempts of divines to impose restraints upon them contrary to their inclinations. Western dress and beauty preparations are used by Aden women if they wish, to say nothing of European, Indian, and Malayan costume.

[1] op. cit., p. 84.

Addenda

P.492 *Takhāwīd* also means a gift of money to a bride – presumably – when the *nuqbah* is removed.

P.492. *Khaybaʿān* is also a term used in the Hijaz.

P.495 The high standing bed (*qaʿādah*), mounted with the aid of steps, is also native to the Yemeni Tihāmah.

High marriage costs were deplored in the Aden press in 1962–63. These are itemized in the *Aden Chronicle* (28/vi/62). *Al-Ayyām* (2/vi/62) proposes limiting *daf* to 3,000 shillings. *Al-Kifāḥ* (18/viii/63) says this is not a problem for youth – anyway it is only possible for the wealthy, because of the high costs. It blames companies for paying foreigners highly but paying little to native employees. Attempts to limit marriage costs seem no new topic and, for instance, I recall that al-Sālimī notes an attempt by an early Ibāḍī Imām in Oman to restrict such costs. On marriage in the Yemen see C. Ansaldi, *Il Yemen*, Rome, 1933, 210 seq.; E. Rossi, *L'Arabo parlato a Ṣanʿā'*, Rome, 1939, 95 seq. and many recent writers.